

DANA A. SUNTAG (State Bar #125127)
JOSHUA J. STEVENS (State Bar #238105)
HERUM\CRABTREE\SUNTAG
A California Professional Corporation
5757 Pacific Avenue, Suite 222
Stockton, California 95207
Telephone: (209) 472-7700
dsuntag@herumcrabtree.com
jstevens@herumcrabtree.com

Attorneys for All Defendants

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KAREN SUTHERLAND, as mother of
decendent; ERICA BELATTI, Guardian Ad
Litem for S.S., son of decendent, and as
successor in interest to the deceased; and D.S.,
daughter of decendent, and as successor in
interest to the deceased,

Plaintiffs,

vs.

CITY OF STOCKTON; OFFICER RONALD
ZALUNARDO, in his individual and official
capacity; OFFICER JOHN AFANASIEV, in
his individual and official capacity; CHIEF
ERIC JONES, in his individual, and official
capacity.

Defendants.

Case No.: 2:21-cv-01855-WBS-AC

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO RESPOND TO
COMPLAINT**

[Local Rule 144(a)]

[No hearing required]

1 This Stipulation is respectfully submitted by all named parties: Plaintiffs Karen
2 Sutherland, Erica Belatti (as Guardian Ad Litem on behalf of minor Plaintiffs S.S. and D.S.), and
3 S.S. and D.S. as successors in interest to the decedent, on the one hand; and Defendants City of
4 Stockton (the "City"), Chief of Police Eric Jones, Officer Ronald Zalunardo, and Officer John
5 Afanasiev, on the other hand; all through their undersigned counsel of record.

6 RECITALS

7 A. On October 4, 2021, Plaintiffs filed this lawsuit.

8 B. On or about December 20, 2021, Plaintiffs served process on the City. On or
9 about December 22, 2021, Plaintiff served process on Chief Jones and Officers Zalunardo and
10 Afanasiev.

11 C. Counsel for Defendants represent they need additional time to review the
12 Complaint, determine the appropriate response(s), and prepare that response(s). Counsel for
13 Defendants requested Plaintiffs' counsel grant them an extension of time to move, plead, or
14 otherwise respond to the Complaint to February 18, 2022, and Plaintiffs' counsel is agreeable to
15 that.

16 D. This is the first stipulation for an extension of time to respond to the Complaint.

17 E. An Initial Case Status Conference is scheduled in this matter for February 28,
18 2022. Given the requested extension to respond to the Complaint to February 18, 2022, the
19 parties respectfully request that the Initial Case Status Conference be continued by
20 approximately 60 to 90 days, to a date that is convenient for the Court. This will allow time for
21 the pleadings to be set, so that the parties may prepare a more thorough joint status report and
22 conduct a more productive conference.

23 STIPULATION

24 IT IS STIPULATED AND AGREED, by the parties, through their counsel of record, that
25 Defendants have an extension of time, through and including February 18, 2022, to move,
26 plead, or otherwise respond to the Complaint.
27
28

IT IS FURTHER STIPULATED AND AGREED that the Initial Case Status Conference in this matter currently scheduled for February 28, 2022 be continued for 60 to 90 days.

Dated: December 29, 2021

HERUM CRABTREE SUNTAG
A California Professional Corporation

By: /s/ Dana A. Suntag
DANA A. SUNTAG
Attorneys for all Defendants

Dated January 4, 2022

V. JAMES DESIMONE LAW

By: /s/ V. James DeSimone
V. JAMES DESIMONE
Attorneys for all Plaintiffs


ORDER

Defendants' time to move, plead, or otherwise respond to the Complaint is **EXTENDED**, through and including **February 18, 2022**.

The Initial Case Status Conference in this matter shall be continued from February 28, 2022 to **April 11, 2022, at 1:30 PM**. A Joint Status Report shall be filed no later than **March 28, 2022**, pursuant to the Court's Order re Status (Pretrial Scheduling) Conference filed 10/06/2021, (Docket No. 3).

IT IS SO ORDERED.

Dated: January 5, 2022


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE